

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
DOCKET NO. 3:15-cr-00059-MOC-DCK

THIS MATTER is before the court on defendant's Motion to Continue, Motion for Peremptory Setting, and Motion to Withdraw as Counsel. Having considered defendant's motions at calendar call and having heard from the defendant, who was present at calendar call with an interpreter, and it appearing that defendant asks for new counsel, the court enters the following Order.

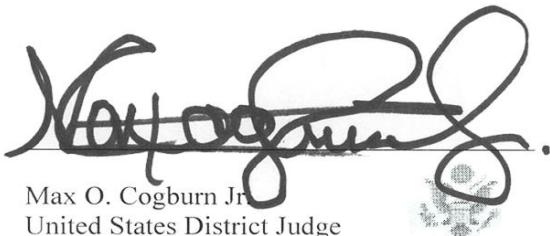
ORDER

IT IS, THEREFORE, ORDERED that defendant's Motion for Peremptory Setting is **DENIED**, Motion to Withdraw as Counsel is **ALLOWED**, and the Motion to Continue is **GRANTED**, and new counsel shall be appointed to represent defendant under the CJA plan.

This matter is continued to the next criminal term, and the court finds the delay caused by such continuance shall be excluded in accordance with 18 U.S.C. § 3161(h)(7)(B)(iv), as failure to grant such a continuance would deny newly appointed

counsel for the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. Further, the ends of justice served by granting such continuance outweigh the best interests of the public and the defendant in a speedy trial. Specifically, defendant and counsel have shown a need for additional time as a new attorney is being appointed to represent defendant who will not have been in the case at least 30 days during the present term. This matter is continued to the November 2017 term, and the time is excluded.

Signed: September 18, 2017



A handwritten signature in black ink, appearing to read "Max O. Cogburn Jr.". The signature is fluid and cursive, with a large, stylized "M" at the beginning. It is positioned above a solid horizontal line.

Max O. Cogburn Jr.
United States District Judge